G. R. S. IX-5]

Previous references.

File No. 53·13

1914. 15
(Legis)

Serial Nos. 1-2

Later references.

See 20-17(1-)
Hug Dfp no 91-25
Whi 17-28, 5
" 18-28(1-22)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 - 2

Part B for January 17.

SUBJECT.

Prevention of Stud-bagging

---

2 20/ The DCs and Dms of Bangalore
J 2194-202) and Shimoga. The Dms (other Dts
D/20.12.16 } The Secy to the Economic Conference
State that Govt consider that
fresh Legislation on the subject
is not necessary

Thanjavur 12-3-17

W D 88—GPB—50,000—24-7-16

C. S. 145.

G.R.S. 11] 1914-15

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 53-X/13

FILE HEADING.

Prevention of Street-begging

From

The Secretary, Economic conference

No. 1182 Dated 7/4/14 Received 11/4/14

Diary No.	Enclos. One Spare Copies. -	Serial No.
3302		/

BRIEF ABSTRACT OF LETTER.

Forwards Mr. R. D. Mahadeva Rao's note on the prevention of street-begging by able bodied persons.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—35,000—15 6-12

NR no 47 of -14

SUBJECT No. 223.

Poor houses for beggars.

Mr. M. K. Krishnamurti Rao, Magadi taluk.

Summary of discussion.—It is prayed that the ever increasing population of beggars who are a menace to public safety may be confined in poor houses and taught, as in Western countries, some means of earning their own livelihood.

This should be one of the subjects to be considered by the Economic Conference.

Mr. Krishna Sastri.—Beggars from foreign places are outnumbering local beggars.

Mr. Krishnamurti.—Every shop will, in all likelihood, contribute a sum of 4 annas for the purpose.

Reply of Government.—This is a useful suggestion and will be considered.

DIARY No. 2456
1913-1914
SECTION
FILE No.
SERIAL No.

1) This will, if appr be referred to the Secretary Economic Confce.

NR
SW 4.9.14

2) Please put up the papers relating to the proposal of Mr R. T. Mahadevaiah in this connection

Hm
7/9

NR

3) There are no references here (on the file) except Mr. Mahadeva Rao's Notes and Mysore Regulation, which are under consideration with Legislative Council Secretariat. Copies of these were submitted to Hon'ble Secy L & A some time back.

NR 10-9-14 SW 11/9/14

Transfer to Br III 8/11 NR 10/9

4) to Br III

Transfer this representation

Hm 11/9

SUBJECT No. 264.

Prevention of begging.

Messrs. Thammayyabhatta and A. Rama Rao, Tirthahalli taluk.

Summary of discussion.—Steps may be taken for the prevention of begging by persons who are under no physical disabilities.

Reply of Government.—Government cannot do anything in this matter.

J.R.A. 223-13

Legis 5-3-13

4

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

5) The file regarding the draft bill to prevent street begging prepared by Mr R.D. Mahadeva Rao was subd. to the Asst Secretary on 28/8/14 .. May this be placed in that file.

(48)
21/9/14 Vill. 6)

21/9

7) Kept in Legis 5-3-14

8) The file re bill for the prevention of street begging ~~by~~ drafted by Mr R.D. Mahadeva Rao is herewith submitted.

22/10/14

9) Why has it been distributed?
Please Press through at once.

29/1/16

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—23-12-13

G. R. S. 12]

General and Revenue Secretariat. | Legis. – le No. 53 of 1913.

Serial No.

10) The Bill proposed by Rao R. Mahadeva Rao contains in the main four suggestions:-

1. Begging by an able bodied person in a public street should be an offence.
2. Guardians who permit young children to beg in a public street should be punished;
3. Begging in an indecent manner by any person whether able bodied or not, young or old, should be treated as an offence
4. The above offences should be considered as cognisable.

11) Before proceeding to the criticism, as slight verbal mistakes or errors may be noticed between the statement in paragraph) and clause) of the draft Bill. In para), the only offences which are considered necessary for being treated as cognisable are 1 & 3 noted above, but in clause), the 2nd offence noted above is also included.

12) The first question for consideration in taking up this Bill is whether there is necessity for legislation, and whether the existing law is defective or insufficient to meet the object of the Bill. After considering the main provisions of the Bill noted above, it seems clear that legislation

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 53 of 1913.

Serial No.

is unnecessary and ~~Superfluous~~ wider. The existing Regulations already provide for all the cases mentioned in the Bill, excepting the 2d part.

(2) Under S 56 (5) of the Police Regulation in any local area to which the Section may be extended whoever "begs ~~importunately~~ importunately for alms, or exposes or exhibits, with the object of exciting charity, any deformity, or disease or any offensive sore or wound, in or near to and within sight of any street" shall be punished with fine which may extend to fifty Rupees. The punishment prescribed is also higher, and the language of the Section seems ~~to be~~ more comprehensive than the wording in the proposed Bill. S. 56 (5) of the Police Regulation thus covers both the offences mentioned in ~~clauses~~ classes 1 & 2 above. It is in substance a paraphrase of the provisions in the Vagrancy Act of England. The law as stated in the Police Regulation is also the law of British India and it seems unnecessary to legislate again on the subject. As regards the 2d class of offences noted above, it is also provided for in the present law. The offence in substance amounts to an abetment of the offences and having regard to the definition of the word offence in S 40 of the I.P.C, and S. 82, 83,

NOTE—Contn. sheet.

GPB—70,000—17-12-15

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R. S. 12]

General and Revenue Secretariat. | Legis File No. 53 of 1913.

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it Seems unnecessary to make any Special legislation restricting the comprehensive nature of the present law.

14) The Special provision governing mentioned in Clause 4 of the Bill has also a counterpart in S 95 of the Police Regulation.

15) -- Thus all the main provisions have already a place in the existing law, and no necessity is thus shown for a Separate Regulation covering the Same Subject.

16) Having regard to the nature of offence, it is doubtful if the general law needs to be modified by entrusting the Police with powers of arrest without warrant. Even if this is considered desirable the object may be achieved by a slight amendment of the Police Regulation. Further S 55 (6) of the Criminal Procedure Code Seems to cover cases of the kind now in question, and quite sufficient for all practical purposes.

17) If approved, the Economic Conference should be informed that the existing provisions in the Police Regs & Penal Code & Crim. Pro. Code cover all the points raised in the Bill and that no further legislation is considered necessary

Hd. Members

18) I agree -

27/3/16

The Section 55 (6) is different. It is not aimed at mere beggars but at persons without any ostensible means of subsistence & those presumably bent on engaging themselves in unlawful pursuits.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

General and Revenue Secretariat. | Legn. File No. 53 of 1913.

Serial No.

19) Submd
Dewan)
Mad Revenue
29/3/16

20) Please circulate for the opinion of the present Members of Council.
5162/30.3.16
3.7.16 RO
C.S. Circ 4/7 SR 4/7

21) There is no doubt that the beggar nuisance is a serious and annoying one, and tends to become worse day by day.
1355/8.7.16.

22) But before introducing fresh legislation, the provisions of the existing law as contained in Section 56 clause (s) of the Police Regulation may be enforced. This clause should in my opinion be extended to all Taluk headquarter towns. After a few years' experience of its working, we may be able to judge how far more stringent provisions are needed.
14-8-16

362/14.8

23) I am not for legislation. Beggars in England are worked in conjunction with Poor houses &

NOTE—Contn. sheet.

GPB—70.000—17-12-15

General and Revenue Secretariat.

Legis File No. 53 of 1916

Serial No.

Work hours. The existing provision in Police Regl. should be extended wherever necessary

Yes
Secy

24) I agree with the 2nd member.

16.8.16.
Secy 16/8

25) I for favour of order of the Dewan.

Yes
Secy

Secy
Dewan
1640
18.9.16

Secy to Govt
1715
22/9/16

26) The visit of the present Finl. member to Consul, who has recently visited Japan while the law is in force, may kindly be obtained

22.11.16

784
24.11

Finl Member
27) Steel-bangles & pulse-rings are worn in Japan in all important cases though it is not a strictly enforced one. But ornaments in India & there too in some Indian States are very different. I agree with the other members that the provision in the

Secy to Govt
24/11

NOTE—Contn. sheet.

GPB—70,000—17-12-15

J 3302-15

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G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 53 of 1916

Serial No.

This Rpn. seems exempt for the present. If case is taken it seems that it is proper enough.

Dewan) 29/11

Duraiswami Rao 30/11

3135 1.12.16

28) As opinion is unanimous that no legislation is necessary, a draft Government order may be put up drawing the attention of all concerned to the existing provisions on the subject and stating that no legislation is necessary for the present.

2.12.16

Draft 4/12

Legis A/12

29 Subd. with a draft G.O.

12/12/16

In favour of approval 18/12

First Member

Draft G.O. approved by the first member 15.12.16 16/12

1073 15.12

2 To the Dcs and D.I.S of Bangalore and Shimoga, the Dirs of other Dts. The Secs to the Economic Conference

No J 2194-202 20th Dec: 1916

States that Govt consider that [illegible]

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | Desi File No. 5B of 1913.

Serial No.	
	Legislation on the subject is not
	necessary.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

F 3302

DIARY No. .....

GPB—1,000—27-11-13

12

9/4 gw

Leg

No. 1182 Encs.

E. C.

MYSORE ECONOMIC CONFERENCE.

Dated Bangalore, 7th April 1914.

FROM

C. S. BALASUNDARAM IYER, ESQ., B.A.,
Secretary to the Mysore Economic Conference,
Bangalore.

TO

K.R. Sreenivasiengar, Esq., M.A.
Secretary to the Government of H.H. the Maharaja
General and Revenue Departments.

SIR,

I have the honour to forward herewith for orders of Government copy of letter No.1249 dated 12th February 1914, with enclosures from the Secretary, Industries and Commerce Committee, enclosing an extract from the Proceedings of the 24th meeting of the Committee regarding Mr. R.T. Mahadeva Rao's Note on the prevention of street begging by able bodied persons and requesting that the Draft Regulations prepared by him may be considered by Government in the Legislative Department.

I have the honour to be,
Sir,
Your most obedient servant,

C S Balasundaram Iyer
Secretary

C.S.

Copy of letter No.1249 dated 12th February 1914, from the Secretary, Industries and Commerce Committee to the Secretary, Mysore Economic Conference.

I have the honour to forward herewith an extract from the Proceedings of the 24th meeting of this Committee, regarding Mr. R.T. Mahadeva Rau's Note on the prevention of street begging by able-bodied persons, and to request you to be so good as to submit the Draft Regulation - - prepared by him sent herewith, for the consideration of Government in the Legislative Department.

C.S. Balasundaram
Secretary

C.S

C.S

Notes on the prevention of Street-begging by able-bodied persons in Mysore.

- - - - -

For centuries past, India has been proverbially known as a land of charity. To love or to show affection to another is charity. To assist the needy is also charity. This noble virtue in mankind is a divine gift and should be cultivated by every one. Men of charitable disposition are revered and praised. As a result of this noble quality, the present form of giving and receiving gifts or alms has emanated. Alms are given in the shape of either food, raiment or money. This habit, if resorted to freely and indiscriminately, is productive of disastrous effects. The able-bodied, if allowed to receive alms freely, will become indolent and will in respect of their maintenance become a burden to the Society.

To guard against such consequences, our Dharmasastras strictly enjoin that beggary should never be made an occupation and that it should not be resorted to or encouraged except under very exceptional circumstances. It is declared mean for an able-bodied person to beg and it is equally so to give alms to the undeserving. At present, these salutary principles have been totally ~~disregarded~~ ignored owing to want of education among the majority of the population. Alms are given to whomsoever that ask, without in the least considering whether the recipient is really deserving of it or not.

Any person from among the highest to the lowest class be he able-bodied or not be he rich or poor, may if he only chooses to do so, beg and be comfortable, because beggary is now encouraged without any discrimination. In fact, there have now come into existence several low castes, whose members have without adopting any honorable profession for their livelihood, betaken themselves to begging in open streets in an outrageous manner.

It is needless to describe here the several horrible and revolting guises adopted by the street beggars. If one gets into the bazzar or a public street, I am sure one will meet with beggars, who go to the extent of hurting their own bodies and extracting blood to create sympathy and extort alms. We may also find beggars practising deception in several ways by inventing false stories to suit their purposes and by abject cries and hideous bawling in the streets thereby causing nuisance to the public.

In the parts where I reside there are people of different castes known as Kormars, Korchars, Dasaries, Mondas, and several others, who have made begging their only profession. They get into the streets and in front of each house make terrible noise sufficient to cause awful nuisance both to the in-mates and passers by. When advised to earn their livelihood by doing some work, they coolly say that God has created them to live by begging only. This kind of indiscriminate begging has become a source of nuisance to the public and an indirect taxation on them and it tells heavily on them especially when high prices are ruling as at present. The most disastrous result however is that the number of idlers is largely increased much to the detriment of the productive capacity of the country. This undesirable state of affairs which may not be unfamiliar to many of us should not be allowed to continue any longer. In all civilized nations on the earth, street beggary has been entirely, put a stop to by Legislative enactments, and if it were not for that, they would not have been more prosperous than we are at present.

According to the last Census, there are in Mysore excluding the Civil and Military Station of Bangalore, 49,639 persons, who eke out their living as beggars, prostitutes, procurers and receivers of stolen property. It would have been better if the number of beggars had been separately shown. However, it may easily be surmised that the number of persons under the three latter heads may

may not be much when compared with the number of beggars.

Now that the benign Government of His Highness the Maharaja has earnestly undertaken to introduce a high state of efficiency in the earning capacity among its subjects by organizing methods through the department of Economic Conference, it is but meet that this subject should receive their early consideration.

It is the primary duty of the Economic Conference to devise measures, whereby all able-bodied persons should work and earn their livelihood. This done, their next attention should be directed to make each individual member earn as much as a member of the civilised country does. To fulfil the first object, Government should be approached with a request to legislate measures, whereby begging in the streets by able-bodied persons should be prohibited. It may here be argued that it rests with the individual members of the Society to put a stop to begging by withholding alms, instead of seeking the help of legislature. The only answer will be that it is not possible to do so, as the question involved applies to the Society in General and that each individual member of it is not competent in the absence of education to understand the pernicious effect of encouraging indiscriminate begging. It is upon some such ground that the civilized nations on the continent have resorted to legislation on this subject.

By stopping street beggary, the able-bodied beggars will be compelled by necessity to earn their livelihood by resorting to some kind of work. They will work either as coolies or as handicrafts or as agriculturists. The earning capacity of the country will thereby increase and the beggars themselves, after reclamation from idleness will be able to rely on their own resources, so that they will avoid the risk of becoming the first sufferers during times of scarcity. The public will also be relieved of the burden of maintaining them upon charity, which can better be utilised to render sustantial help to the really needy. It may here be stated with advantage,

advantage, that the police will also be relieved of the trouble of keeping watch over these beggars, the majority of whom, who are habitual wanderers, are also thieves and house-breakers.

By the by a question may here be raised whether there will be enough of work for those who will be reclaimed from begging. Now that the population has increased and with it agriculture and other professions have also increased and are still increasing demand for labour has proportionately increased and is still increasing. These beggars may be profitably employed if they are made to settle in suitable localities. It may here be explained, that by advocating the abolition of street begging by able-bodied persons, it is never meant to put a stop to beggary altogether, though such a measure is in a way desirable and wholesome. Such of the beggars as are bodily incapable of working, such as the old and infirm, must and should be permitted to beg though not in a way obnoxious to public feelings, until such time when the country is prepared to establish poor houses for their maintenance.

6th October 1913.

(Sd) R.T.Mahadeva Rao.
Retired Assistant Commissioner,

(By

C Ranganatha Rao Sahib
Secretary, Industries & Commerce Committee

Letter No. . . from Mr. R.T.Vishwanatha Rao, B.A.(Hons.) Asst. Comm., to the Secretary, Industries and Commerce Committee.

" In continuation of my Memo dated the 8th October 1918, re the prevention of street-begging, child-bearing persons and in pursuance of the resolution of the Central Committee thereon dated the 25th idem, I beg to send herewith a draft regulation for the consideration of the Committee.

2. In the draft, I have tried to minimise the evil but not to eradicate it. Sufficient provision is made to allow the continuance of what is known as religious mendicancy and of begging by the really deserving. The prevailing religious sentiments of of the people require the existence of certain classes of religious mendicants in the performance of the ceremonies they observe and this necessitates the making of ample provision to respect their feelings and to leave the present customs undisturbed.

3. Until we advance further in the march of progress and establish poor houses, it is also desirable that the public should maintain by charity such persons as are unable to earn their livelihood by reason of deformity, disease infirmity or tender age.

4. A regulation of this nature may seem novel in India, but it cannot on that account be left out of consideration as every new measure must appear novel until it is brought into force and its good effects realised. When the Infant Marriage Regulation was thought of, there was any amount of opposition, but we now see what great good we have achieved by making up our mind to overcome the opposition in the interests of the community. Not only have ○○○ Infant Marriages now ceased in the state, but the regulation is copied by others elsewhere.

5. The present measure which is not of such magnitude as the Infant Marriage Regulation, which affects all the various strata of society in Mysore, aims at reclaiming a certain class of population which has fallen into indolence and has become a burden to society. It is intended to make these idlers to earn their living

living and raise themselves to the level of respectable citizens. If the proposed remedy is urgently called for, in the interests of these fallen people whose number is not after all small but threatens to grow, if upon mature consideration prompt measures are not adopted in time, we ought not to hesitate any longer in doing our duty in this respect.

6. In the draft no provision is made to enforce the taking of a license to beg, as I fear it would cause considerable annoyance to those poor beggars, whom we are bound to support.

7. Begging by able-bodied persons and begging in an incessant and obnoxious manner are made cognizable offences as they require prompt remedies. The offence of permitting children to beg will however be taken notice of upon complaints from the Police or the public.

8. In the saving clause, provision is made exempting persons who receive alms in the Government Anna-chattrams, Langarkhanas, or private charitable institutions. "

---ooo---

A Regulation to prevent street begging by able-bodied persons in Mysore.

Preamble. Whereas it is expedient to prevent begging in the streets and other places of public resort by persons able to earn an independent living, His Highness the Maharaja of Mysore is pleased to enact as follows:-

Short Title. Section I

(1) This regulation may be cited as " The Regulation to prevent begging in Mysore".

Extent (2) It extends to the whole of Mysore.

Commencement. (3) It shall come into force from.....

Saving Clause. Section 2.

The provisions contained in this regulation do not apply to the persons who receive alms in the Government Anna-Chattrams, Langarkhanas, or private charitable institutions.

Interpretation. Section 3.

In this Regulation unless there is something repugnant in the subject or context,

context,

(1) "Begging" means importuning for alms.

(2) "Streets" means any road, footway, square, court, alley, or passage, accessible whether permanently or temporarily to the public whether a thoroughfare or not.

(3) Any person whether male or female is said to be able-bodied except when he or she, by reason of deformity, disease or infirmity, or by reason of being under 14 years of age if a boy, and 12 years of age if a girl, is unable to earn independent living in any way whatsoever.

(4) A "religious mendicant" is a person who receives alms from his disciples in the performance of religious ceremonies such as a Swami, Guru, Priest, Astrologer, Jangam, Pandaram, Dasayya, Goravayya, Jogayya, Jogati, Gondali, Fakir, Pir, Pakir, etc.

Section 4.

Any able-bodied person, whether a religious mendicant or not, who begs for alms in any public street or other place of public resort shall, on conviction before a second class magistrate, be liable to be punished with fine not exceeding rupees ten and in default of payment of the fine to simple imprisonment for a period not exceeding one month. The magistrate, notwithstanding the punishment provided for above, may, in his discretion, warn the mendicant for his first offence.

Punishment for Begging.

Provided that,

Exceptions

(1) a religious mendicant receiving alms from his disciple in a street or other place of public resort, shall not be punishable under the provisions of this section.

(2) any person who, by reason of deformity, disease or infirmity or being under 14 years of age if a boy or 12 years of age if a girl and without a guardian, is unable to earn a independent living shall not be punishable under the provisions of this section.

Section 5.

Liability of guardians.

Any person being the guardian of a person below the age of age if a boy or 12 years of age if a girl permits such person to beg in any street or other place of public resort shall on conviction before a second class magistrate, be liable to be punished with fine not exceeding rupees ten and in default of payment of the fine to simple imprisonment for a term not exceeding one month.

Section 6

Punishment for exposing indecent or obnoxious sores.

Any person who while begging for alms exposes himself or enters herself in an indecent or obnoxious manner so as to affect the feelings of the public shall on conviction before a second class magistrate be liable to be punished with fine not exceeding rupees ten and in default of payment of the fine to simple imprisonment for a period not exceeding one month.

Power of Police officers.

Section 7.

(1) Any Police officer may arrest any person within

6

committing an offence under section 4, 5, or 6.

(2) A village Patel is a Police Officer within the meaning of sub-section (1).

(3) Any person arrested under the provisions of Sub Section (2) shall forthwith be admitted to bail. If he cannot furnish bail he shall, not, however, be detained in custody without the order of a magistrate longer than 24 hours exclusive of the time necessary for the journey if any, from the place of arrest to the Magistrate's Court.

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" C O P Y "

C Ranganatha Rao Sahi

Secretary, Industries and Commerce Committee.

G.R.S. 28]

16/12

Legis File No. 53-13
Serial No. 2

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 191 .

READ—

Subject- Nos 223 and 264 of the Proceedings of the R. A., 1913, in the matter of prevention of street begging and the replies of Government thereon.

~~ORDER THEREON. No.~~

2. Letter No. 1182 dated 7th April 1916 from the Secretary to the Mysore Economic conference (for action by Govt in the Legislature), forwarding a note with a draft Regulation by

over.

Date of issue 20th December 1916.

Signed by Gr. G. Rangaswamy Iyr

SUBJECT.

23

Mr R. D. Mahadeva Rao
on the prevention of ~~street~~ Cog Guri
begging & ~~for action in the~~
Order thereon. — J 2194-202 & 20th Dec 1916.

Government consider that fresh legislation on the subject is not necessary and that the Dt Magistrates may propose the extension of clause (o) of section 56 of the Mysore Police Regulation, 1908, wherever ~~they deem~~ necessary and thus bring street begging under control.

15/12

For Secretary to Govt
E. D.

To The Deputy Commrs and Dt Magistrates
of the Bangalore and Shimoga Dts for
communication to the R. A. members concerned.
The Dt Magistrates of other districts
The Secretary to the Economic Conference

C/F to the Dasara Section.

GPB.—20,000—2-10-11

20/12/16